

From: Tim Maletic
To: Microsoft ATR
Date: 1/23/02 9:15am
Subject: Microsoft Settlement

To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. I find numerous problems with the proposed settlement, but, for me, two stand out: the lack of a requirement upon Microsoft to publish its APIs, and the wording in III.J.2 that allows Microsoft to decide with whom it must share technical information.

As Ralph Nader has written elsewhere, "[U]nder J.1 and J.2 of the proposed final order, Microsoft can withhold technical information from third parties on the grounds that Microsoft does not certify the 'authenticity and viability of its business,' while at the same time it is describing the licensing system for Linux as a 'cancer' that threatens the demise of both the intellectual property rights system and the future of research and development." Is it not obvious how Microsoft will respond to requests for technical information from developers of Open Source software?

I urge you to reconsider your position.

Sincerely,

Tim Maletic, CISSP
Information Systems Security Officer
Priority Health, Grand Rapids, MI

Do You Yahoo!?
Send FREE video emails in Yahoo! Mail!
<http://promo.yahoo.com/videomail/>

CC: tim.maletic@priority-health.com@inetgw